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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,689	04/30/2001	Michel Menu	XA-9467	9635

181 7590 08/16/2004  
MILES & STOCKBRIDGE PC  
1751 PINNACLE DRIVE  
SUITE 500  
MCLEAN, VA 22102-3833

EXAMINER

JACOBS, LASHONDA T

ART UNIT PAPER NUMBER

2157

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/830,689

Applicant(s)

MENU, MICHEL

Examiner

LaShonda T Jacobs

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: note reference numeral 48 in Figure 4. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Vaziri et al (hereinafter, "Vaziri", 6,671,272.

As per claim 1, a Vaziri process for effecting communication between at least two communication terminals (T1 T2) across a computer network (100), in which, the two terminals (T1 T2) being linked to a telephone network (101), comprising:

- the first of the two terminals (T1) connects up (25) to the computer network (100) and obtains a computer address which it transmits to the second terminal (T2) across the telephone network (101) (col. 3, lines 50-55), and
- the second terminal (T2) connects up (29) to the computer network (100) and obtains a computer address which it transmits to the first terminal (T1) across the computer network (100) (col. 7, lines 9-36),

process characterized in that

- before connecting up to the computer network (100), the first terminal (T1) calls (20) the second terminal (T2) across the telephone network (101) and invites it (21) to call it back later (col. 13, lines 39-50),
- as agreed, the second terminal (T2) calls the first terminal (T1) later (26) and the latter then transmits (28) its computer address to it, across the telephone network (101) (col. 13, lines 51-64).

As per claim 2, Vaziri discloses:

- after having obtained its computer address, the first terminal (T1) remains connected to the computer network (100) it is advised of the call of the second terminal (T2) across the telephone network (101) by a call signal (27) and then switches (28) temporarily over to the second terminal (Ta) so as to transmit its computer address to it across the telephone network (101) (col. 7, lines 25-42).

As per claim 3, Vaziri discloses a process for effecting communication between at least two communication terminals (T1, T2) across a computer network (100), in which, the two terminals (T1 T2) being linked to a telephone network (101), comprising:

- the first of the two terminals (T1) connects up (45) to the computer network (100) and obtains a computer address which it transmits to the second terminal (T2) across the telephone network (101) (col. 3, lines 50-55), and
- the second terminal (T2) connects up (50) to the computer network (100) and obtains a computer address which it transmits to the first terminal (T1) across the computer network (100) (col. 7, lines 9-36),

process characterized in that,

- after having obtained (45) its computer address the first terminal (T1) disconnects (46) from the computer network (100), so as to transmit (48) its computer address to the second terminal (T2) across the telephone network (101), then reconnects (49) to the computer network (100) and obtains the same computer address as at the previous connection (45) (col. 13, lines 39-50).

As per claim 4, Vaziri discloses:

- after having disconnected from the computer network (100), the first terminal (T1) calls the second terminal (T2) across the telephone network (101) so as to transmit its computer address to it (col. 13, lines 39-50).

As per claim 5, Vaziri discloses:

- in which the first terminal (T1) connects up to the computer network (100) by way of an access provider to which it addresses (IAP1) a request (45) so as to obtain the same

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computer address for two successive connections (col. 12, lines 57-64 and col. 13, lines 52-65).

As per claim 6, Vaziri discloses:

- in which the first terminal (Ta) connects up to the computer network (100) which allocates it the by way of an access provider (IAP1) same computer address for a plurality of successive connections in so far as they occur within a predetermined time span (col. 14, lines 39-45).

As per claim 7, Vaziri discloses:

- in which the first terminal (T1) calls the second terminal (T2) across the telephone network (101) so as to ask it if it wishes to communicate with it across the computer network (100) (col. 15, lines 21-46).

As per claim 8, Vaziri discloses:

- in which, after effecting communication between the two terminals (T1 T2) across the computer network (100), the terminals (T1, T2) each activate a signal so as to advise their users that communication has been effected between the two terminals (T1 T2) (col. 21, lines 41-57).

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,275,490 to Mattaway et al

U.S. Pat. No. 6,377,570 to Vaziri et al

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U.S. Pat. No. 6,373,835 to Ng et al

U.S. Pat. No. 6,337,858 to Petty et al

U.S. Pat. No. 6,407,995 to Eryilmaz

U.S. Pat. No. 6,185,204 to Voit

U.S. Pat. No. 6,064,653 to Farris

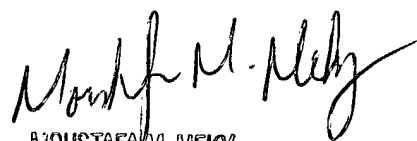
Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
August 5, 2004

  
MOUSTAFAM. MEKY  
PRIMARY EXAMINER